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November 19, 2013

Judge Dora L. Irizarry
United States District Court
Eastern District of New York
United States Courthouse, Room 928S
225 Cadman Plaza East
Brooklyn, NY 11201

Re: DMJ Assoc., LLC v. Capasso, et al.
97-CV-7285 (DLI) (RML)
Joinder of Motions for Partial Summary Judgment on CERCLA docketed as entry numbers 1474 and 1475

Dear Judge Irizarry:

Neapco, Inc. ("Neapco"), a Third-Party Defendant in the above-referenced action, seeks to join in the motions for partial summary judgment the Court authorized certain Third-Party Defendants to file in a docket entry order dated May 2, 2013, specifically the Motions for Partial Summary Judgment on CERCLA docketed as entry numbers 1474 and 1475.

Neapco was not one of the original movants in the motions served on the Third-Party Plaintiffs on June 14, 2013, but seeks to join in the motions on the grounds and for the reasons stated in the motions and supporting memoranda previously served on the Third-Party Plaintiffs. Because Neapco does not seek to brief separately the issues raised in the motions and because the Third-Party Plaintiffs have not yet responded to the motions, Neapco respectfully submits that the

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Third-Party Plaintiffs will not be prejudiced by Neapco's joinder of the motions at this time. Neapco further respectfully requests that the Court waive the pre-motion conference requirement in light of the Court's prior authorization of the motions for partial summary judgment in which Neapco seeks to join.

Respectfully Submitted,



Timothy E. Corrison

TEC:mms

cc: All counsel of record (via ECF)